

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

4:06cv03185
4:06cv03187
4:06cv03189

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

AUG 29 2006

2006 SEP 25 PM 1:12

DOCKET NO. 1657

FILED
CLERK'S OFFICE

OFFICE OF THE CLERK

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION**

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-63)

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 4,267 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.

SEP 14 2006

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SCHEDULE CTO-63 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ALABAMA MIDDLE ALM 2 06-678	William Hazel v. Merck & Co., Inc.
ARKANSAS WESTERN ARW 5 06-5149	Owen Wallace, et al. v. Merck & Co., Inc.
CALIFORNIA EASTERN CAE 2 06-774	Salvador Monroy v. Merck & Co., Inc.
CALIFORNIA NORTHERN CAN 4 06-4794	Patrick E. Murphy v. Merck & Co., Inc., et al. Opposed 9/13/06
FLORIDA NORTHERN FLN 1 06-131	Stanley Anderson v. Merck & Co., Inc., et al.
GEORGIA NORTHERN GAN 1 06-1750 GAN 1 06-1755	Millard Yancey v. Merck & Co., Inc. Howard E. Taylor v. Merck & Co. Inc.
ILLINOIS NORTHERN ILN 1 06-4089	Shirley Horwitz, et al. v. Merck & Co., Inc., et al.
KANSAS KS 2 06-2332	Sue Shipman v. Merck & Co., Inc.
MINNESOTA MN 0 06-3274 MN 0 06-3275 MN 0 06-3285	Marilyn D. Behrendt v. Merck & Co., Inc. Marcheta E. Van de Streek v. Merck & Co., Inc. Virginia Ballard, et al. v. Merck & Co., Inc.
MISSOURI EASTERN MOE 4 06-1185 MOE 4 06-1186 MOE 4 06-1187 MOE 4 06-1196	Vivian Copher, et al. v. Merck & Co., Inc., et al. Opposed 9/13/06 Inez Kincaid, et al. v. Merck & Co., Inc., et al. Opposed 9/13/06 Richard Helton, et al. v. Merck & Co., Inc., et al. Opposed 9/13/06 Minnie Smith, et al. v. Merck & Co., Inc., et al. Opposed 9/13/06
MISSISSIPPI SOUTHERN MSS 3 06-420	Ann B. Stringfellow, etc. v. Merck & Co., Inc.
NEBRASKA NE 4 06-3183 NE 4 06-3185 NE 4 06-3187 NE 4 06-3189	Stanley L. Applegate, et al. v. Merck & Co., Inc. William E. Lindsey, Sr., et al. v. Merck & Co., Inc. Jerry R. Crofford v. Merck & Co., Inc. Duane E. Noragon, et al. v. Merck & Co., Inc.
NEW JERSEY NJ 3 06-3685	Brenda Carter v. Merck & Co., Inc.
NEW YORK EASTERN NYE 1 06-3811	Jairo Salazar v. Merck & Co., Inc.

SCHEDULE CTO-63 - TAG-ALONG ACTIONS (MDL-1657)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
NEW YORK SOUTHERN NYS 1 06-5897	Veronica Francis, etc. v. Merck & Co., Inc.
NEW YORK WESTERN NYW 6 06-6408 NYW 6 06-6409	Rosemary A. Ruisi v. Merck & Co., Inc., et al. Doris K. Roworth v. Merck & Co., Inc., et al.
OHIO NORTHERN OHN 1 06-1927	Barbara Thornhill, etc. v. Merck & Co., Inc.
OKLAHOMA EASTERN OKE 6 06-293	Irene Merritt v. Merck & Co., Inc.
OKLAHOMA NORTHERN OKN 4 06-392	Stephen N. Lynch, etc. v. Merck & Co., Inc.
OKLAHOMA WESTERN OKW 5 06-804	Richard Smith, et al. v. Merck & Co., Inc.
PENNSYLVANIA EASTERN PAE 2 06-3307	Marilyn Canavan, et al. v. Merck & Co., Inc., et al.
TEXAS EASTERN TXE 2 06-321 TXE 2 06-322	Alfonso Carmona, et al. v. Merck & Co., Inc., et al. Janie G. Pesina, et al. v. Merck & Co., Inc., et al.
TEXAS NORTHERN TXN 4 06-514	Marvin Garrett, et al. v. Merck & Co., Inc.
TEXAS SOUTHERN TXS 4 06-2630	Deborah Lynn Davis, et al. v. Merck & Co., Inc.
TEXAS WESTERN TXW 5 06-642	Lura Wurzbach v. Merck & Co., Inc.
UTAH UT 2 06-614	Garold Young, etc. v. Merck & Co., Inc.

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INVOLVED JUDGES LIST (CTO-63) MDL-1657

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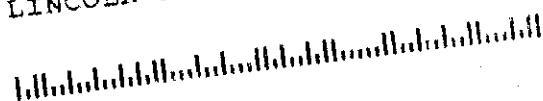
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